

Message Text

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C O N F I D E N T I A L BRASILIA 1077

E.O.11652: GDS

TAGS: PINT, BR

SUBJECT: JUSTICE MINISTER ISSUES REPLY TO LIST OF "MISSING PERSONS"

REF: A. BRASILIA 944 B. BRASILIA 960

SUMMARY: ON FEB. 6, JUSTICE MINISTER FALCAO ISSUED A LIST OF 27 "MISSING PERSONS" IN RESPONSE TO PERSISTENT PUBLIC INQUIRY ON THE WHEREABOUT OF A NUMBER OF PERSONS SUSPECTED TO BE HELD BY, OR TO BE VICTIMS OF, THE SECURITY ORGANS. WHILE PUBLICATION OF THE LIST MARKS THE FIRST MAJOR OCCASION ON WHICH THE GOVERNMENT HAS PUBLICLY ACKNOWLEDGED THE POLITICAL PRISONERS ISSUE, ITS PUBLICATION SHOULD BE SEEN, TOGETHER WITH THE MINISTER'S SPEECH OF JAN 31 (REFTEL A), AS APART OF THE ADMINISTRATIONS'S STRATEGY OF AVOIDING THE CONVOKING OF A PARLIAMENTARY COMMISSION OF INQUIRY ON THE "MISSING PERSONS". THE FALCAO LIST MENTIONS BOTH PAULO STUART WRIGHT AND ANA ROSA KUCINSKY. END SUMMARY

1. ON THE MORNING OF FEB 6, JUSTICE MINISTER ARMANDAO FALCAO, "IN THE FACE OF NEWS ARTICLES RECENTLY PUBLISHED BY THE DOMESTIC AND FOREIGN PRESS, AND OF APPEALS DIRECTED TO THE AUTHORITIES FOR THE LOCATION OF PERSONS
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HELD TO HAVE DISSAPPEARED," PUBLISHED A LIST OF ALLEGED

WHEREABOUTS OF 27 "MISSING PERSONS", IN EFFECT CLAIMING TO ABSOLVE THE GOVERNMENT OF RESPONSIBILITY FOR THEIR FATE.

2. THE LIST OF NAMES, AND THE ALLEGED WHEREABOUTS OF THOSE NAMED, IS AS FOLLOWS:

CAIUBY ALVES DE CASTRO - ARRESTED AND RELEASED IN 1968:
DAVID CAPISTRANO DA COSTA - FLED TO PRAGUE:
EDUARDO COLLIER FILHO - FLED, ARREST WARRANT OUTSTANDING:
FERNANDO AUGUSTO DE SANTA CRUZ OLIVEIRA - IN HIDING, SOUGHT FOR QUESTIONING:
FERNANDO AUGUSTO FIUZA DE MELO -ARRESTED AND RELEASED IN 1974, AWAITING TRIAL:
HONESTINO MONTEIRO GUIMARAES - SENTENCED TO 2 YEARS IMPRISONMENT IN 1972, FLED:
HUMBERTO ALBUQUERQUE CAMARA NETO - IN HIDING:
ISSAMI NAKAMURA OKANO - SENTENCED TO 2 YEARS IMPRISONMENT IN 1971, FLED:
JOAO BATISTA RITA PAREDA -REPORTEDLY KILLED IN GUERRILLA ACTION IN BOLIVIA:
JOAO MASSENA DE MELO - WHEREABOUTS UNKNOWN:
JOAQUIM PIRES CARVEIRA - BANISHED TO ALGERIA IN 1970:
LUIZ INACIO MARANHAO FILHO - FLED, ARREST WARRANT OUTSTANDING:
MARIA CONCEICAO SARMENTO COELHO DA PAZ - ARRESTED AND RELEASED IN 1974:
MARIA MARGARIDA DA ROCHA MELO - ARRESTED AND RELEASED IN 1974, AWAITING TRIAL:
MARIA NILDE MASCELANI - RELEASED IN 1974:
MESSIAS DE ARAUJO PONTES - ARRESTED AND RELEASED IN 1974:
PAULO ISRAEL SINGER - ARRESTED AND RELEASED IN 1974:
PAULO STUART WRIGHT - FLED, ARREST WARRANT OUTSTANDING:
PAULO DE TARSO CELESTINO DA SILVA - WHEREABOUTS UNKNOWN:
RUI FRAZAO SOARES - WHEREABOUTS UNKNOWN:
TOMAS ANTONIO DA SILVA MEIRELLES NETO -SERVED ONE YEAR IMPRISONMENT, RELEASED, WHEREABOUTS UNKNOWN:
VALTER DE SOUZA RIBEIRO - FLED, ARREST WARRANT OUTSTANDING:
WILSON SILVA - WHEREABOUTS UNKNOWN:
EACH OF THE ABOVE NAMES WAS ACCOMPANIED BY A SHORT ACCOUNT OF THE SUBVERSIVE ACTIVITIES EACH PERSON WAS ALLEGED TO HAVE ENGAGED IN. IN ADDITION, THE FOLLOWING

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FOUR PERSONS WERE LISTED AS HAVING NO RECORD,AND BEING UNKNOWN TO THE AUTHORITIES:

JOSE ROMAN:
ANA ROSA KUCINSKY:
IEDA ROSA DELGADO:
FERNANDO ANTONIO DA SILVA MEIRELLES NETTO.

3. COMMENT: AS PART OF THE DECOMPRESSION PROCESS, THE

GOVERNMENT, IN PUBLISHING THE LIST, TOOK THE UNPRECEDENTED STEP, AFTER THE ELECTIONS, OF AT LEAST ADDRESSING A VERY SENSITIVE QUESTION

, WHICH WOULD HAVE BEEN UNTHINKABLE UNDER THE MEDICI GOVERNMENT. THE ACTION OF THE GEISEL REGIME WAS CARRIED OUT BY THE MINISTER OF JUSTICE, A LEGAL/POLITICAL FIGURE, AND NOT RESTRICTED TO THE LACONIC, UNINFORMATIVE STATEMENTS OF THE SECURITY ORGANS - "NADA CONSTA" (NOT OF RECORD). ON THE NEGATIVE SIDE, THE STATEMENT WAS CERTAINLY LESS THAN CANDID WITH RESPECT TO THE FATE OF MANY ON THE LIST. IN EVERY CASE, THE GOVERNMENT IMPLICITLY OR EXPLICITLY DENIED HOLDING ANY OF THE "MISSING PERSONS", AND ADMITTED KNOWLEDGE OF THE DEATH OF ONLY ONE, THAT OCCURRING OUTSIDE BRAZIL. IN SEVERAL INSTANCES, NOTABLY THAT OF PAULO SINGER, MENTION IS MADE OF PERSONS WHO WERE KNOWN TO HAVE BEEN RELEASED, AND WHO DID NOT FIGURE IN THE LATEST LIST OF ALLEGED "MISSING PERSONS" (SEE REFTEL B), GIVING RISE TO SUSPICION THAT THESE NAMES WERE INSERTED TO GIVE VERISIMILITUDE TO THE LIST. IN THIS RESPECT, IT APPEARS TO BE A WHITEWASH.

4. WE JUDGE THAT THE GOVERNMENT WOULD HAVE LIKED TO SEE THE STATEMENT BY FALCAO TERMINATE THE PRESSURES WHICH HAVE ARISEN OVER THE ISSUE OF MISSING POLITICAL PRISONERS, AND WHICH ARE MANIFESTED IN THE PUSH BY OPPOSITION DEPUTIES FOR THE CONVOCAION OF A PARLIAMENTARY COMMISSION OF INQUIRY (CPI), OR, AT LEAST, AN INTERPELLATION OF MINISTER FALCAO. IT ALSO APPEARS, HOWEVER, THAT THE GOVERNMENT RECOGNIZES THAT UNDER THE CURRENT STAGE OF DECOMPRESSION AND IN THE PRESENT POLITICAL CLIMATE IT COULD NOT BE ENTIRELY SUCCESSFUL IN STONE-WALLING THE ISSUE. AN ADDITIONAL INDICATION

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OF THIS WAS THE MINISTER'S REMARK TO NEWSMEN, IN THE CONTEXT OF THE RELEASE OF THE LIST, THAT HE INTENDED TO RECONVENE THE NATIONAL COMMISSION ON HUMAN RIGHTS IN MARCH, WHEN THE NEW CONGRESSIONAL SESSION BEGINS. THEREFORE, AS A FAIR OBJECTIVE, IT IS INTENDED TO STRUCTURE THE INEVITABLE CONTINUATION OF DISCUSSION OF THIS QUESTION IN THE BEST POSSIBLE TERMS IN THE LIGHT OF THE ADMINISTRATION'S POLITICAL NECESSITY IN REGARD TO THE SECURITY APPARATUS. IN ANY EVENT, THE QUESTION WILL CONTINUE TO BE DISCUSSED.

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